

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 6648

BILL NUMBER: HB 1207

DATE PREPARED: Dec 22, 2000

BILL AMENDED:

SUBJECT: Mandatory Testing of Prisoners.

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**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- (A) It requires that the medical examination given to an individual committed to the Department of Correction (DOC) after June 30, 2001, include tests for hepatitis C and the human immunodeficiency virus (HIV).
- (B) It requires a confirmatory test if a screening test indicates the presence of HIV.
- (C) It allows the DOC to require individuals committed to the Department before July 1, 2001, to submit to Hepatitis C and HIV tests.
- (D) It requires the DOC to report positive HIV test results to the State Department of Health.
- (E) It provides that results of the Hepatitis C and HIV tests are confidential unless otherwise provided by law.
- (F) It requires the DOC to file an annual report regarding certain statistical information regarding Hepatitis C and HIV tests with the executive director of the Legislative Services Agency.
- (G) It provides that consent of the individual tested is not required.

(The introduced version of this bill was prepared by the Corrections Matters Evaluation Committee.)

Effective Date: July 1, 2001.

Explanation of State Expenditures: Provision A: The cost for screening offenders for Hepatitis C is currently \$8.40 per test, and a confirmatory test for a positive screening test is \$112. The cost projection per HIV test is approximately \$5 for a screening test and \$50 for a confirmatory test. Currently, the Indiana State Health Department covers the expense of the HIV tests.

The number of adult and juvenile offenders who were admitted to DOC facilities in FY 2000 was 13,869. The Department of Correction reports that currently about 2,500 offenders are currently given HIV tests. Using this admissions figure and netting out the number of offenders who currently request HIV tests, the costs of the initial test would be \$173,285.

Provision B: Unless a random sample is obtained, it is impossible to identify how many confirmatory tests are required. Two surveys have indicated that about 1% of the offenders entering DOC have tested positive for HIV. If 1% of the offenders entering DOC in the next year test positive and a confirmatory test must be performed for these offenders, the estimated cost would be \$6,934 for individuals testing positive for HIV. This bill does not require a confirmatory test for individuals who test positively for the initial Hepatitis C test.

Provision C: The total number of offenders who were in DOC facilities as of September 30, 2000, was 17,989, including jails and contracted beds. If this entire population was tested for both HIV and Hepatitis C, the additional cost is estimated to be \$241,053. If DOC retests offenders with positive outcomes, the additional cost would be \$8,995, assuming that 1% of the offenders would test positive.

As of July 25, 2000, DOC estimates that 133 offenders within the existing inmate population have been diagnosed with HIV and that 418 offenders have been diagnosed with Hepatitis C.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction, Department of Health, Legislative Services Agency.

Local Agencies Affected:

Information Sources: Department of Correction.